

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SAGI GINGER,

Plaintiff,

v.

ORLY GINGER,

Defendant.

Civ. No.: 14-5683 (KBF)

**DECLARATION OF
BRYAN D. LEINBACH
IN OPPOSITION TO
SAGI GINGER'S MOTION
FOR SUMMARY JUDGMENT**

STATE OF NEW YORK,
COUNTY OF NEW YORK.

BRYAN D. LEINBACH, pursuant to 28 U.S.C. § 1746, declares the following:

1. I am associated with the firm of Zeichner Ellman & Krause LLP, attorneys for defendant Orly Genger ("Orly"). I make this declaration in opposition to Sagi Genger's motion for summary judgment.

2. Sagi counsel represented to Orly counsel that the only subpoena that they served in this case or the prior action (Civ. No. 14-1006) was a subpoena upon Dentons US LLP. Orly counsel did not receive copies of any other subpoenas from Sagi in either this action or the prior action.

3. Attached as **Exhibit 65** is a copy of a Stipulation of Settlement dated as of October 26, 2004 with exhibits.

4. Attached as **Exhibit 66** is a copy of a draft divorce stipulation dated September 27, 2004.

5. Attached as **Exhibit 67** is a copy of a draft divorce stipulation dated October 13, 2004.

6. Attached as **Exhibit 68** is a copy the Amended Answer And Counterclaim And Crossclaim of Defendant TPR Investment Associates, Inc. dated July 31, 2013 in a case filed in Delaware Chancery Court titled Dalia Genger v. TR Investors, LLC et al., C.A. No. 6906-CS (the “Dalia Delaware Action”).

7. Attached as **Exhibit 69** is a copy of an October 20, 2014 email from Louis Schepp with attached exhibits.

8. Attached as **Exhibit 70** is a copy of a Final Judgment dated August 18, 2010 in a case filed in Delaware titled TR Investors, LLC v. Genger, C.A. No. 3994-VCS (the “Trump Group Action”).

9. Attached as **Exhibit 71** is a copy of a Revised Final Judgment dated August 19, 2011 in the Trump Group Action.

10. In July 2010, Arie Genger (“Arie”) and Orly commenced an action in New York County Supreme Court titled Arie Genger et al v. Sagi Genger et al., Index No. 651089/2010 (the “New York TRI Action”).

11. Attached as **Exhibit 72** is a copy of a Reply Memorandum of Law in Support of Sagi Genger’s Motion to Dismiss the Claims Asserted by the Plaintiffs dated December 9, 2011 in the New York TRI Action.

12. Attached as **Exhibit 73** is a copy of TPR's and the Sagi Trust's Reply Memorandum of Law in Further Support of their Motion to Dismiss dated December 9, 20 in the New York TRI Action.

13. Attached as **Exhibit 74** is a copy of a Brief for Defendants-Respondents-Cross-Appellants Sagi Genger and TPR Investment Associates, Inc. and Defendant-Respondent the Sagi Genger 1993 Trust dated February 26, 2014 in the New York TRI Action.

14. Attached as **Exhibit 75** is a copy of a Reply Brief for Defendants-Respondents-Cross-Appellants Sagi Genger and TPR Investment Associates, Inc. dated April 14, 2014 in the New York TRI Action.

15. Attached as **Exhibit 76** is a copy of a July 24, 2014 Decision and Order of the Appellate Division, First Department in the New York TRI Action.

16. Attached as **Exhibit 77** is a copy of a Summons and Complaint in an action in New York County Supreme Court titled *Dalia Genger, as Trustee on behalf of the Orly Genger 1993 Trust, and Dalia in her individual capacity v. Arie Genger*, Index No. 113862/2010.

17. Attached as **Exhibit 78** is a copy of a September 12, 2014 letter from Dalia counsel Robert Meister.

18. Attached as **Exhibit 79** is a copy of a November 13, 2014 letter from Valery Aginsky.

19. Attached as **Exhibit 80** is a copy of a Declaration of Orly Genger dated November 13, 2014.

20. Attached as **Exhibit 81** is a copy of a Declaration of Lance G. Harris, Esq. dated November 13, 2014.

21. Attached as **Exhibit 82** is a copy of an Affidavit of Rochelle Fang dated April 2, 2012.

22. Attached as **Exhibit 83** is a copy of portions of Rochelle Fang's August 22, 2011 deposition transcript.

23. Attached as **Exhibit 84** is a copy of portions of Rochelle Fang's October 26, 2011 deposition transcript.

24. Attached as **Exhibit 85** is a copy of Stock Purchase Agreement dated January 18, 2007.

25. Attached as **Exhibit 86** is a copy of portions of Sagi's July 27, 2012 deposition transcript.

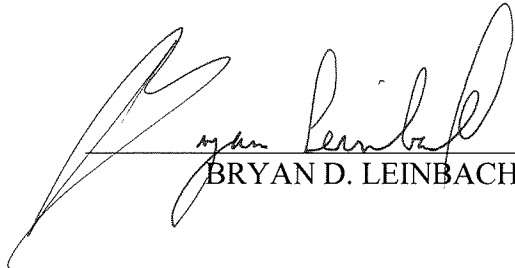
26. Attached as **Exhibit 87** is a copy of a February 17, 2011 Decision and Order (Feinman, J.) in a case titled *Arie Genger et al. v. Sagi Genger et al.*, Index No. 651089/2010 (the "New York TRI Action").

27. Attached as **Exhibit 88** is an Assignment and Assumption Agreement dated August 8, 2008.

28. Attached as **Exhibit 89** is a copy of portions of Sagi Genger's March 20, 2014 deposition transcript.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 14, 2014.



A handwritten signature in black ink, appearing to read "Bryan Leinbach", is written over a horizontal line. Below the line, the name "BRYAN D. LEINBACH" is printed in a serif font.

BRYAN D. LEINBACH